

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JOHN McCALL and JAMES RAM

Plaintiffs,

v.

MONRO MUFFLER BRAKE, INC. d/b/a
AUTOTIRE CAR CARE CENTER,

and

AM-PAC TIRE DIST. INC.

Defendants.

Case No. 4:10-cv-00269-JAR

PLAINTIFFS' MOTION TO FILE DOCUMENTS UNDER SEAL

COMES NOW, Plaintiffs John McCall and James Ram, and for their Motion to File Documents Under Seal, for purposes of the Motion for the Motion for Summary Judgment of Defendants, Monro and Am-Pac Tire Dist., Inc., state as follows:

1. On October 7, 2011, the parties agreed to and filed a Consent Protective Order [Doc. No. 63-1], which the Court entered on October 11, 2011 [Doc. No. 64].
2. The consent Protective Order provides that if any party identifies a document as “Confidential” that “such designated documents, interrogatory answers and other discovery...filed with the court...shall be filed under seal...” [Doc. No. 63-1, p. 3 ¶ 6].
3. The following Exhibits contain “Confidential” information. Pursuant to the aforementioned provision, Plaintiffs move to file the following documents under seal:
 - Plaintiffs’ Memorandum in Opposition to Defendants’ Motion for Summary Judgment.
 - Plaintiffs’ Statement of Undisputed Facts

- Plaintiffs' Response to Defendants' Statement of Undisputed Facts.
- All attachments to each of these filings, including:
 - Ex. 000001- Am-Pac P and L sample Statements- NC depo
 - Ex. 17A – Monro Financial Info re- Fee- lo res
 - Ex. A – Deposition of Jeff Latham
 - Ex. AM000317 – Latham Memo
 - Ex. B – Deposition of Danielle Courington
 - Ex. C – Deposition of Catherine D'Amico
 - Ex. D – Deposition of David Baeir
 - Ex. E – Deposition of Paul Marsh
 - Ex. F – deposition of Thomas Moore
 - Ex. L – Am-Pac- Includes 8 sample invoices
 - Ex. MO0584 – Monro Sample Invoices/Estimates
 - Ex. MO0651 – Night Drop Envelope

Wherefore, Plaintiffs move this Court for leave to file the foregoing list of documents under seal.

Dated: March 28, 2012

Respectfully submitted,

THE SIMON LAW FIRM

By: /s/ Erich Vieth
Erich Vieth, #29850MO
John Campbell, #59318MO
800 Market Street, Suite 1700
St. Louis, MO 63101
Telephone: (314) 241-2929
Facsimile: (314) 241-2029
evieth@simonlawpc.com
jcampbell@simonlawpc.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been filed with the Court using the CM/ECF electronic filing system on this 28th day of March, 2012 to:

Robert J. Wagner
rwagner@thompsoncoburn.com

Brian A. Lamping
blamping@thompsoncoburn.com

/s/ Erich Vieth